

EXHIBIT A

COMMON PLEAS COURT
LAKE COUNTY, OHIO
Case Designation Form Loc. R II(C)(1)

William Osborne Case No. _____
VS
Praxair, Inc., Judge _____

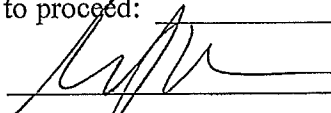
Per LOC R. II (C)(3), refiling of cases previously dismissed under Civ. R. 41 must have a designation upon the face of the complaint that the action is being refiled. The word "REFILING" must appear in upper case letter under the word "COMPLAINT". Directly beneath the word "REFILING" the complaint shall identify the case number of this dismissed action. **Former Case no.** 15CV001881

Case Categories (Mark one category only)

- _____ **Administrative Appeal** (Specific ORC Sec.) Section _____
_____ **Consumer Sales Practices:** Actions commenced under applicable section of ORC Chapters: 109, 1315, 1317, 1321, 1322, 1333, 1334, 1345, 1349, 3953, 4505, 4549, 4710, 4712, 4719, 4775, 4905 or 5311
_____ **Contract or Quasi Contract**
_____ **Criminal**
_____ **Declaratory Judgment**
_____ **Foreclosure**
_____ **Foreign Judgment**
_____ **Malpractice** (specify) _____
_____ **Credit Card (CI)**
_____ **Personal Injury**
x _____ **Product Liability**
_____ **Professional Tort**
_____ **Provisional Remedy** (Replevin, Attachment, Garnishment)
_____ **Workers Compensation**
_____ **Other Tort** _____
_____ **Other Civil** _____

The designation "money only" may not be used if one of the above specific categories is applicable. Further, the caption shall note any statutory provision that is unique to the particulate cause and controls the time within which the case is to proceed, once filed. (EX. Miscellaneous – Contest of Election (ORC Section 3515.10 – Hearing within 30 days.)

Revised Code Section unique to this particular cause which controls the time within which the case is to proceed: _____



Signature

Michael J. Feldman #0039062

Printed name & Registration No.

Lallo & Feldman co., LPA

Firm name

4230 SR 306; #240, Willoughby, Ohio 44094

Address

440-953-0362

Phone number

revised 6/09 mgk

IN THE COURT OF COMMON PLEAS
LAKE COUNTY, OHIO

WILLIAM OSBORNE
49791 Bursley Road
Wellington, Ohio 44090

Plaintiff

vs.

PRAXAIR, INC.
DBA PRAXAIR WELDING GAS AND
SUPPLY CENTER
1140 Lloyd Road
Wickliffe, Ohio 44092

Defendant

CASE NO.

JUDGE

COMPLAINT/JURY DEMAND
Jury Demand Endorsed Hereon

REFILE CASE # 15 CV 001881

NOW COMES the Plaintiff and for his Complaint against the Defendant, states as follows:

1. At all times herein mentioned, Praxair, Inc., dba Praxair Welding Gas and Supply Center (hereinafter referred to as Praxair) is a corporation duly licensed and authorized to do business in the State of Ohio and is doing business at a location 1140 Lloyd Road, City of Wickliffe, Lake County, Ohio.
2. As part of Defendant, Praxair's business, it is involved in the manufacture, and or supply, and/or distribution, of various welding products, including 3M Speedglas Auto-Darkening Welding Helmets. In addition, it distributed and supplied said helmets to Plaintiff, William Osborne's employer, Eberhard Manufacturing

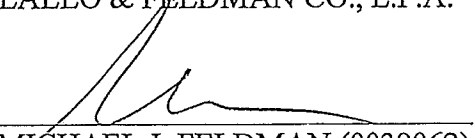
Company, for subsequent use by said company's employees, including Plaintiff, William Osborne.

3. Defendant, Praxair, was negligent in the manufacture, distribution, and/or design of the 3M Speedglas Auto-Darkening Welding Helmet in question.
4. Defendant, Praxair, by and through its employees and representatives, was negligent in failing to replace the 3MSpeedglas Auto-Darkening Welding Helmet used by William Osborne, as it had been recalled two years earlier.
5. Defendant, Praxair, was negligent in allowing a dangerous and defective product to remain on the market and to be used by persons in the welding business, including, Plaintiff, William Osborne, with knowledge that continuing use of said product, was likely to cause injury to the user.
6. Defendant, Praxair, breached various warranties to the users of its product, including, Plaintiff, William Osborne.
7. As a direct and proximate result of the negligent acts, omissions, and breach of warranties of Defendant, Praxair, as set forth above, Plaintiff, on or about October 31st, 2013, while using a 3MSpeedglas Auto-Darkening welding helmet Model 9002X, was caused to sustain serious injury to his eyes. Plaintiff has sought medical care, treatment and expense for said injury and is reasonably likely to incur future medical care treatment, expense for said injury which are permanent in nature. Plaintiff has been caused great pain and suffering as a result of the injury in question.

WHEREFORE, Plaintiff, William Osborne, demands judgment against the Defendant, Praxair, Inc. in an amount in excess of Twenty-Five Thousand Dollars (\$25,000.00) together with the costs of this action.

Respectfully submitted,

LALLO & FELDMAN CO., L.P.A.

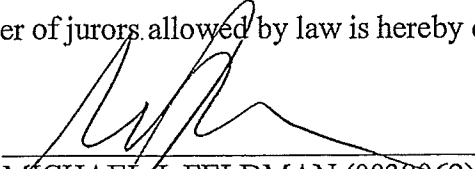


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JURY DEMAND

A trial by jury with the maximum number of jurors allowed by law is hereby demanded.



MICHAEL J. FELDMAN (0039062)
LALLO & FELDMAN CO., L.P.A.
Attorney for Plaintiff,